

Patent Application no. 10/781,263  
Atty. Dkt. No. 087147-0494

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re reissue application of: U.S. Pat. No. 6,348,481, issued February 19, 2002

Applicant: INADA et al.  
Title: PHARMACEUTICAL  
COMPOSITION FOR  
ANGIOTENSIN II-MEDIATED  
DISEASES  
Appl. No.: 10/781,263  
Filing Date: 2/19/2004  
Examiner: Deborah C. Lambkin  
Art Unit: 1626  
Conf. No.: 3131

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia, to 571-273-0025 PETITIONS OFFICE on the date below. <u>Haren A Walker</u> (Printed Name) <u>Haren A Walker</u> (Signature) <u>March 9, 2007</u> (Date of Deposit)
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**MAR 09 2007**

**OFFICE OF PETITIONS**

**PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(2)**

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants, Takeda Pharmaceutical Company, Limited, by the undersigned attorney of record, hereby petitions to withdraw the above-identified application from issue. The basis for withdrawal is 37 C.F.R. § 1.313(c)(2), i.e., the filing of a request for continued examination (RCE).

Remarks Begin on the next page of this petition.

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**Remarks**

**I. *Facts***

1. The present application no. 10/781,263 filed February 19, 2004, is based on a reissue of U.S. Pat. No. 6,348,481, issued February 19, 2002.
2. The present '263 application was allowed and the Issue Fee was paid on February 13, 2007.
3. After payment of the issue fee, Applicants informed the undersigned of errors in the claims as proposed to be amended in the attached amendment. The errors to be corrected regard inadvertent typographical errors. *See claims 5, 6, 9, and 10 as marked.*
4. At least one amendment to the claims deletes a member of a Markush group. *See claim 9 (deleting hydrochloride and quinethazone).*
5. Withdrawal of the application from issuance is necessary for consideration of the amendment to the claims presented along with the attached Request for Continued Examination.
6. Applicants representatives will request a Supplement Declaration in Reissue from the inventors at or near the same time this petition is filed.

**II. *Relief requested***

This Petition under 37 CFR § 1.313(c) should be GRANTED.

Based on the above facts, the good and sufficient reasons why withdrawal a necessary are as follows:

- (1) To correct inadvertent typographical errors that affect the scope of at least claim 9, *see facts 3-4*;
- (2) To add clarity to the scope of the claims 5-6 and 9-10 under reissue, *see fact 3*;  
and
- (3) To save Office resources, e.g., from deciding a petition for a certificate of correction or from handling another reissue application and proceeding.

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It is submitted that the Office should remand this application back to the Examiner to enter the attached amendment and RCE, and the Examiner is asked to await a Supplemental Declaration in Reissue under 37 C.F.R. § 1.175(b).

If the Supplemental Declaration has not been added to the file at the time the amendment is entered, the Examiner is asked to contact the undersigned, who will follow up on the matter.

Conclusion

A credit card authorization form in the amount of \$920.00 is attached in payment of the required fees (the RCE fee of \$790.00 and the Petition fee of \$130.00).

Favorable action is solicited.

Authorization is given to charge any deficiency in fees to Deposit Account 19-0741.

Respectfully submitted,

Date 03-07-2007

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By

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## MESSAGE: PETITION TO WITHDRAW FROM ISSUE, 37 CFR 1.313(c)(2)

The following documents are facsimile transmitted herewith in US SN 10/781,263:

- Credit Card Payment Form (1 pg.);
- Petition to Withdraw from Issue Under 37 CFR 1.313(c)(2) (3 pgs.);
- Request for Continued Examination Transmittal (4 pgs.);
- Amendment and Remarks Under 37 CFR 1.114 (9 pgs.)

Certificate of Facsimile appear on the attached documents.

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